

REMARKS

Applicants respectfully request reconsideration and allowance of the above-identified patent application. Claims 1-37 remain pending, wherein the independent claims include 1, 16, 28, and 34.

Initially, Applicants and Applicants' attorney express appreciation to the Examiner for the courtesies extended during the recent interview held on September 19, 2006. The claim amendments and arguments submitted in this paper are consistent with the amendments and arguments presented during the course of the interview.

Applicants also note with appreciation the Examiner's withdrawal of the previous grounds of rejection.

The Office action rejects the independent claims under 35 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Publication No. 2003/0131285A1 to Beardsley et al. ("*Beardsley*"). The remaining dependent claims are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by *Beardsley* or under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Beardsley* in view of U.S. Patent No. 6,223,306 to Silva et al. ("*Silva*") and/or further in view of U.S. Patent Publication No. 2004/0250243A1 to Banerjee et al. ("*Banerjee*").¹

As noted in the Interview Summary, however, the Examiner considered Applicants' arguments over the differences between the cited art of record and the current claims persuasive. As such, the cited art of record does not appear to anticipate or otherwise make obvious Applicants' claimed invention, as claimed for example, in independent claims 1, 16, 28, and 34.

Applicants note for the record that the remarks above render the remaining rejections of record for the independent and dependent claims moot, and thus addressing individual rejections or assertion with respect to the teachings of the cited art is unnecessary at the present time, but may be undertaken in the future if necessary or desirable, and Applicants reserve the right to do so.

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

All objections and rejections having been addressed, Applicants respectfully submit that the present application is in condition for allowance, and notice to this effect is earnestly solicited. Should any question arise in connection with this application, or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at +1.801.533.9800.

Dated this 22nd day of September, 2006.

Respectfully submitted,

/Wesley C. Rosander, Reg. # 51,030/
Wesley C. Rosander

RICK D. NYDEGGER
Registration No. 28,651
WESLEY C. ROSANDER
Registration No. 51,030
Attorneys for Applicant
Customer No. 47973